

REMARKS

Applicant thanks the Examiner for the detailed comments in the Office Action mailed October 16, 2008.

Claim 1 has been amended to incorporate the limitations of claims 5 and 6 and for formal matters. Claims 5 and 6 have been cancelled. Therefore, claims 1-4 and 7-10 are pending and presented for consideration on the merits. The amendment to claim 1 overcomes the rejection under 35 USC §102.

Claims 2-4 and 7 incorporate all the limitations of claim 1 and additional limitations; therefore, claims 2-4 and 7 are not anticipated by Wulliman et al.

35 USC §103

Claim 1, as amended, is nonobvious over Wulliman et al. and Movsesian et al., because Movsesian et al. teaches away from the prior art reference of Wulliman et al. and from the elements of claim 1. Specifically, the background of the invention of Movsesian et al., teaches that there are many disadvantages of prior art batting 12 that “pockets” or results in “pocketing,” bulking and pooling, which negatively affect insulation properties of the batting. The embodiments described in Wulliman et al. are clearly affected by this pocketing, because the interface does not conform to the surface with minimal or no space between the blanket surface and the surface of the structure. Thus, Wulliman et al. suffers from the disadvantages taught in paragraph [0006]. Furthermore, both Wulliman et al. and claim 1, as amended, have edges that are sealed by folding of the edges, and Movsesian et al. teaches away from this in paragraph [0008], because such blankets need to be cut and resized. Movsesian teaches that this is both labor intensive and has deleterious health effects. In order to overcome these shortcomings, the Movsesian et al. reference proposes batting having modules formed by “a plurality of batting blocks with heat sealed seams separating the modules.” The seams may be perforated and/or creased, providing for separation of batting blocks 32 along the perforation without exposing the batting insulation, as disclosed, in paragraphs [0048], [0053], [0056] and [0059]. As disclosed in paragraph [0053], the perforations overcome the problems with prior art insulation “re-working” of blankets 30, which caused costly labor and health problems, “due

to the modularized design...because the integrity of the modules 33 is maintained.” Thus, Movsasian et al. teaches away from the bag 40 of Wulliman et al., which is a non-modular prior art design that does not include the modules 33 of Movsasian et al. It would not be obvious to modify Wulliman et al. with the modules and perforations of Movsasian et al., because this would make the burn through, flame propagation resistant product of Wulliman et al. inoperative for its intended purpose. Indeed, “puncture and tear resistance” is required for the bag described in the invention of Wulliman et al., col. 2, lines 49-53, and the invention of Wulliman et al. is shown in Figures 14 and 15 to have pocketing that Movsasian et al. teaches as a significant problem. Therefore, Wulliman et al. teaches away from Movsasian et al. and Movsasian et al. teaches away from Wulliman et al. Thus, a person having ordinary skill would not combine the teachings of Movsasian et al. and Wulliman et al. as suggested in the Office Action.

Arguendo, even if Movsasian et al. was combined with Wulliman et al., neither of the references teach or suggest “the attachment section of the film being folded in a Z-shape such that the attachment section has film fold regions laid one on top of another in a final position,” as recited in amended claim 1. Indeed, Wulliman et al. teaches an M-shaped fold 42 along sealed seams 39 that must have “spring like attributes” as disclosed in paragraph [0059]. These spring like attributes provide for compressibility of the folds 42 to “...provide lateral support and stability to blankets installed between structures...” This avoids the problem of blanket compression, which can result in diminished or loss of insulation properties, according to Movsasian et al. Thus, Movsasian et al. teaches away from a fold having a Z-shape “...such that the attachment section has film fold regions laid one on top of another in a final position,” as recited in amended claim 1, because such a structure has no “spring like attributes,” as required by the invention of Movsasian et al. Indeed, Movsasian et al. goes further, requiring an odd number of creases in paragraph [0057]. A Z-shape has an even number of creases; therefore, Movsasian et al. teaches away from a Z-shape.

Sanocki et al. fails to teach or suggest any of the limitations of amended claim 1 that are omitted from the other cited references.

For the foregoing reasons, claims 1 is nonobvious as amended. All of the pending claims incorporate all of the limitations of claim 1 and additional limitations; therefore, all of the pending claims are now in condition for allowance.

No new matter has been added by any of the amendments. The Applicant respectfully requests entry of the amendments and allowance of all pending claims.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher Paradies', is written over a horizontal line.

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